

VILLAGE OF SISTER BAY BOARD OF TRUSTEES MEETING MINUTES
TUESDAY, SEPTEMBER 20, 2016
SISTER BAY-LIBERTY GROVE FIRE STATION – 2258 MILL ROAD

The September 20, 2016 meeting of the Village of Sister Bay Board of Trustees was called to order by Village President Dave Lienau at 6:02 P.M.

Present: President Lienau and Trustees Scott Baker, Nate Bell, Denise Bhirdo, John Clove, Pat Duffy, and Kathy Enquist.

Staff Members: Village Administrator Zeke Jackson, Finance Director Tasha Rass, and Assistant Administrator Janal Suppanz.

Others: Laddie Chapman, Henk Wolst and Jeff Johnson from Going Garbage, Judith Ross-Stevenson, Rob Zoschke and Jackson Parr

Approval of the Agenda as published:

A motion was made by Duffy, seconded by Bell that the Agenda for the September 20, 2016 meeting of the Village of Sister Bay Board of Trustees be approved as presented. Motion carried – All ayes.

Approval of the minutes for the August 9, 2016 Village Board Meeting/Strategic Planning Session:

Clove, Enquist and Baker suggested that a number of grammatical revisions be made to the August 9, 2016 Village Board Meeting/Strategic Planning Session Minutes, and Suppanz took note of all of them.

A motion was made by Clove, seconded by Baker that the minutes for the August 9, 2016 Village Board Meeting/Strategic Planning Session be approved as amended. Motion carried – All ayes.

Approval of the minutes for the August 16, 2016 meeting of the Village Board:

A motion was made by Baker seconded by Bhirdo that the minutes for the August 16, 2016 meeting of the Village Board be approved as presented. Motion carried – All ayes.

Approval of the minutes for the September 14, 2016 special meeting of the Village Board:

A motion was made by Bhirdo, seconded by Baker that the minutes for the September 14, 2016 meeting of the Village Board be approved as presented. Motion carried – All ayes.

Comments and correspondence:

Lienau asked if anyone wished to comment regarding a non-agenda item. No one responded.

He then noted that the following pieces of correspondence had been received and were included in the meeting packets, and Jackson read those documents aloud:

- A letter from Kurt (Kip) Pagel regarding issues he has with installation of a fuel dock at the Sister Bay Marina.
- E-mails from/to Tom Altstiel concerning concerns he had about noise issues and park closure hour violations which he believes arose during Marina Fest.

1 *Lienau and Duffy noted that the Marina Fest concerts were concluded earlier this year than*
2 *any other year. Lienau also stated that he believes Mr. Altstiel's comment that "the Village*
3 *voted to have no noise limits during Marina Fest" was incorrect.*

- 4
- 5 • An e-mail from Eric Lundquist concerning commercial vendor opportunities at the
- 6 Marina.
- 7 • E-mails from/to Walter and Debra Sommer concerning concerns they had about noise
- 8 issues which arose during a Marina Fest concert.
- 9 • A letter from Vilius and Alma Vaiecekauskas, the owners of the Sister Bay Inn and
- 10 North Spring Rentals. In their letter the Vaicekauskas state that their customers love
- 11 the new beach and absolutely enjoyed the concerts in the park.
- 12 • A letter from Ron Kane, the Vice-President of the SBAA. In that letter Kane notes that
- 13 the SBAA Board of Directors would like to respectfully decline the opportunity to
- 14 participate in the vendor selection process for Waterfront Park.
- 15

16 **Item No. 3. Discussion on the upcoming expiration of a contract for sanitation services**
17 **with Going Garbage; Consider an appropriate motion for action:**

18 The Village provides solid waste and recycling services through contract with Going
19 Garbage. The current contract was entered into in 2012 and expires at the end of 2016. That
20 contract provided for renewal upon the consent of both parties for successive three year
21 periods, and staff has recommended that the Village Board renew the contract with Going
22 Garbage for another three years. The only improvement that Jackson can envision would be
23 to move to "single stream recycling". He discussed this issue with Jeff Johnson and Henk
24 Wolst of Going Garbage, and they are amenable to moving in this direction as the collection
25 process would be simplified. Basically larger single stream recycling containers would be
26 utilized, and re-labeling and conversion to those containers would take place over time.

27

28 Johnson and Wolst were present and made an oral presentation regarding a contract
29 extension and the proposed garbage collection/recycling rates which would be charged
30 during the new contract term. Basically the contract extension as proposed would have a
31 potential total cost increase of approximately \$1,000.

32

33 *It was the consensus that the contract for sanitation services with Going Garbage shall be extended for*
34 *a three year period, and therefore, Johnson and Wolst were asked to provide a draft contract extension*
35 *document to Jackson which includes all of the provisions which were discussed at this meeting. That*
36 *document shall be included in the packets for a future meeting of the Village Board.*

37

38 **Item No. 1. Discussion on a recommendation from the Plan Commission following a**
39 **public hearing on a proposed redraft of §66.0700 of the Municipal Code, (the Sign Code);**
40 **Consider an appropriate motion for action:**

41 In the case which is entitled "Reed v. Gilbert" the issue of free speech regulation by local
42 government was considered. The Supreme Court has often said that the government
43 generally may not impose content-based speech restrictions. Content-neutral restrictions,
44 such as evenhanded restrictions on sound amplification, blocking traffic, and the like are
45 often constitutional; and that extends to content-neutral restrictions aimed at promoting
46 orderly development, such as limits on the size and quantity of signs. In effect, the Village's
47 Sign Ordinance is no longer Constitutional, as it treats speech by different individuals in
48 different ways. A public hearing was conducted by the Plan Commission on this issue, and

1 the members of the Commission recommended that the document which was included in the
2 meeting packets be approved.

3
4 Several of the Board members indicated that they would like to see a “tracked changes”
5 version of the Sign Code, and it was the consensus that such a document shall be reviewed at
6 a future meeting of the Village Board.

7
8 *A motion was made by Bhirdo, seconded by Baker that Agenda Item No. 1 - Discussion on a*
9 *recommendation from the Plan Commission following a public hearing on a proposed redraft of*
10 *§66.0700 of the Municipal Code, (the Sign Code); Consider an appropriate motion for action shall be*
11 *tabled until a future meeting of the Village Board. Motion carried – All ayes.*

12
13 **Item No. 2. Public recognition of Marina Fest donors:**

14 A story was published in The Pulse about the conversation which took place at the last
15 Village Board Meeting concerning the future of Marina Fest. After that story ran a flurry of
16 phone calls were received at the Village Office from people who wanted to “save Marina
17 Fest” and \$8,000 in additional donations was received!!! A document on which the names of
18 all the Marina Fest sponsors had been listed was included in the meeting packets.

19
20 *A motion was made by Clove, seconded by Baker that an ad shall be run in The Pulse which recognizes*
21 *and thanks all the Marina Fest donors. Motion carried – All ayes.*

22
23 Duffy and Clove noted that it was never the intent of the Marina Fest Committee to cancel
24 that event.

25
26 **Item No. 4. Discussion on a recommendation from the Utilities Committee to add**
27 **driveway culverts as a condition of issuance of a driveway permit; Consider an**
28 **appropriate motion for action:**

29 Staff and the Utilities Committee have recommended that when appropriate “culvert
30 installation” be included as a requirement when driveway permits are issued.

31
32 *A motion was made by Bhirdo, seconded by Duffy that the Village Board accepts the recommendation*
33 *of the Utilities Committee and requires that when appropriate a provision shall be added to driveway*
34 *permits which states that culverts must be installed. Motion carried – All ayes.*

35
36 **Item No. 5. Consider a motion to discuss and confirm President Lienau’s appointments:**

37 Lienau indicated that he didn’t wish to recommend any new appointments at this time.

38
39 **Item No. 6. Report on County activities from the County Supervisor, Dave Lienau:**

40 Lienau gave the following oral report:

- 41 • At today’s County Board Meeting Shoreland Zoning was addressed, and the decision
42 was made that the County’s zoning regulations shall be amended in such fashion that
43 they comply with Act 286.

44
45 **Item No. 7. Review of the financial statements and consideration of a motion to approve**
46 **the monthly bills:**

47 Financial reports for the period August 13, 2016 to September 15, 2016 were included in the
48 meeting packets and the Committee members jointly reviewed those documents.

1 *A motion was made by Lienau, seconded by Baker that the monthly bills depicted on the reports which*
2 *were included in the meeting packets totaling \$588,255.26 are all approved. Motion carried – All ayes.*
3

4 **Item No. 8. Reports by the Village Administrator on Village activities and projects:**

5 Jackson gave the following oral report:

- 6 • After examining wave action on the drainage outfall pipes, employees from JJR and
7 Village staff members have noticed impaction by small stones. A myriad of solutions
8 have been suggested, and the decision has been made that a breakwater shall be
9 created with large stones this fall.
- 10 • Engineering work is now complete on the Harbor View Project.
- 11 • Construction is actively underway on the Stony Ridge Project.
- 12 • Construction is underway on the final building in the Niagara Ridge Project.
- 13 • State approved plans have been received for the Wayfinding Signage Project. The
14 Finance Committee has recommended that this project be “put on hold” for 2017,
15 and, instead money be expended for Village street signage as the existing signage is
16 very faded and hard to read.

17
18 *Enquist stated that she is disappointed that this action was taken as all the work which was*
19 *done on the Wayfinding Signage Project now appears “to be a waste of time”.*
20

21 *Lienau explained that the work which has been completed on the Wayfinding Signage Project*
22 *to date would have been required anyhow. Since there is still some finish work which needs to*
23 *be completed downtown the members of the Finance Committee felt it would make the most*
24 *sense to put money toward updating the Village’s street signage ASAP since that is a*
25 *pressing need. The work on the Wayfinding Signage Project will resume at some point in the*
26 *future.*
27

- 28 • The Braun site development is consuming the vast majority of his time. There are a
29 number of complexities which will arise from developing the site in the dense fashion
30 which has been chosen. Engineering has been finalized and bids should be available
31 for consideration at the October 4, 2016 Board Meeting. Construction will probably
32 commence immediately after Fall Fest.
- 33 • Work is well underway on the 2017 budget.

34
35 **Committee Reports:**

36 **(1) Administrative Committee:**

37 The Administrative Committee has not met recently.
38

39 **(2) Communication and Technology Committee:**

40 The Communication and Technology Committee has not met recently.
41

42 **(3) Door County Coastal Byways Commission:**

43 The Coastal Byways Commission will be meeting on Thursday.
44

45 **(4) DCEDC:**

46 Work is ongoing on looking for a replacement for Bill Chaudoir, who has retired.
47
48

1 **(5) Economic Development Committee:**

2 The Economic Development Committee has not met recently.

4 **(6) Finance Committee:**

5 The Finance Committee has met on a number of occasions recently and a series of
6 meeting minutes were included in the meeting packets.

7
8 *Enquist asked for an explanation as to why the Finance Committee had decided to disallow the*
9 *salary increase for the Fire Chief which had been included in the Sister Bay-Liberty Grove Fire*
10 *Department's budget for 2017. She also asked how much of the Chief's salary the Village*
11 *actually pays.*

12
13 *Bhirdo explained that at the present time the Fire Chief's salary is \$19,500, and the Village*
14 *pays 1/3 of that salary. Everyone agrees that the current Fire Chief, Chris Hecht, does an*
15 *excellent job, and last year the Village Board members decided that the Chief's salary should be*
16 *increased. There are concerns that a future Fire Chief may dedicate less time to the job, which is*
17 *a voluntary position, or not be as qualified as Chris. Therefore, the Finance Committee felt*
18 *uncomfortable granting such a salary increase on an annual or automatic basis.*

20 **(7) Fire Board and Fire District Exploratory Committee:**

21 A Fire Board meeting was scheduled for this morning, but due to quorum issues it had
22 to be cancelled.

23
24 The Fire District Exploratory Committee has not met recently.

26 **(8) Historical Society:**

27 The Historical Society met on September 1, 2016 and an update was given on the status
28 of the Barn Building Project. Discussion also took place regarding fundraising for that
29 project.

31 **(9) Library Commission:**

32 The Library Commission met on September 13, 2016, but those minutes have not been
33 completed yet. Attendance is up considerably at the Library. The budget for 2017 has
34 increased by \$300.

36 **(10) Marina Committee and Marina Fest Committee:**

37 No action based on the Marina Committee Meeting Minutes which were included in
38 the meeting packets. The Marina Committee will be meeting again tomorrow.

39
40 This year's Marina Fest was "wonderful" and was well attended. The Marina Fest
41 Committee will be conducting a wrap-up meeting soon.

43 **(11) Parks:**

44 No action based on the minutes which were included in the meeting packets.

46 **(12) Personnel Committee:**

47 No action based on the minutes which were included in the meeting packets.

(13) Plan Commission:

No action based on the minutes which were included in the meeting packets.

(14) SBAA:

The SBAA met on September 8, 2016 but those minutes have not been approved yet. The SBAA Annual Meeting will be conducted on October 27, 2016. Chris Milligan has been doing research regarding light pole banners and was informed that flexible banner brackets may also be required as the existing brackets tend to bend. A sample banner and a set of flexible brackets have been requested. Discussion took place regarding the Fall Fest ping pong ball drop and Milligan is looking into several different options for distributing the ping pong balls.

(16) Youth Center:

The Youth Center Board met on September 9, 2016. Attendance has been quite good at the Youth Center. The kids made quite a bit of money at Marina Fest by selling glow sticks and helping out in Gary Chaudoir's booth.

(17) Tourism Zone Commission:

The Tourism Zone Commission will now have a permanent office in the Country Walk Shops complex.

(18) Utilities – Water, Sewer, and Storm Sewer Committees:

Due to scheduling conflicts the last meetings of the Utilities (WWTP) and the Water, Sewer and Storm Sewer Committees had to be cancelled.

(19) Administration/Compensation Oversight:

The Administration/Compensation Oversight Committee has not met recently.

At 8:22 P.M. a brief recess was taken and the Board members reconvened at 8:26 P.M.

Item No. 9. : Consider a motion to convene into executive session pursuant to Wis. Stats., §19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investment of public funds, or conduct other specified public business, whenever competitive or bargaining reasons require a closed session, and §19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved:

At 8:27 P.M. a motion was made by Lienau, seconded by Bhirdo that the Village Board convene into executive session pursuant to Wis. Stats., §19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investment of public funds, or conduct other specified public business, whenever competitive or bargaining reasons require a closed session, and §19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

A roll call vote was taken on that motion and the Board members voted in the following fashion:

Lienau – Aye; Baker – Aye; Bell – Aye; Bhirdo – Aye; Clove – Aye; Duffy – Aye; Enquist – Aye

1 *Motion carried.*

2
3 **Item No. 10. Consider a motion to reconvene into open session:**

4 *At 8:56 P.M. a motion was made by Bhirdo, seconded by Enquist that the Village Board reconvene*
5 *into open session:*

6
7 *Another roll call vote was taken on that motion, and the Board members again voted in the following*
8 *fashion:*

9
10 *Lienau – Aye; Baker – Aye; Bell – Aye; Bhirdo – Aye; Clove – Aye; Duffy – Aye; Enquist – Aye*

11
12 *Motion carried.*

13
14 **Item No. 11. Consider a motion to take action, if required:**

15 *There was no formal action taken.*

16
17 **12. Discussion regarding matters to be placed on a future agenda or referred to a**
18 **committee, official or employee:**

19 *It was the consensus that the following issues shall be addressed at a future meeting of the*
20 *Village Board:*

- 21 • *Review of the proposed contract extension for sanitation services with Going Garbage;*
22 *Consider a motion for action if appropriate.*
- 23 • *Discussion on a recommendation from the Plan Commission following a public*
24 *hearing on a proposed redraft of §66.0700 of the Municipal Code, (the Sign Code);*
25 *Consider an appropriate motion for action.*

26
27 **Adjournment:**

28 *A motion was made by Bhirdo, seconded by Baker to adjourn the meeting of the Board of Trustees at*
29 *8:58 P.M. Motion carried – All ayes.*

30
31 *Respectfully submitted,*

32 

33 *Janal Suppanz,*
34 *Assistant Administrator*